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SENATE BILL 2049  
By Springer

AN ACT to amend Tennessee Code Annotated, Title 65, Chapter 6, Part 1, relative to railroad crew consists.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 65, Chapter 6, Part 1, is amended by adding a new section thereto, as follows:

(a) No person operating or controlling any railroad may allow the operation of any railroad train or locomotive in this state unless the railroad train or locomotive has a crew of at least two (2) persons. One (1) person shall be a certified or licensed railroad locomotive engineer. One (1) person shall be qualified as either a railroad trainman or conductor. A certified railroad locomotive engineer shall operate the control at all times that the locomotive is in motion. The other crew member may dismount the train or locomotive when necessary to perform switching activities and other duties in the course of his or her job. For the purposes of this section, unless the context otherwise requires:

(1) "Certified railroad locomotive engineer" means a person certified under 49 CFR 240 as a train service engineer, locomotive servicing engineer or student engineer; and

(2) "Qualified railroad trainman or conductor" means a person who has successfully completed and passed an examination on railroad operation rules.

(b) The Tennessee Department of Transportation shall have enforcement authority and may grant an exception to the provisions of subsection (a) if the department determines such exception will not endanger the life or property of any person.

(c) A violation of subsection (a) is a Class B misdemeanor punishable by a fine only of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100). A second violation of subsection (a) within three (3) years of a previous violation is a Class A misdemeanor punishable by a fine only of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000).

(d) The provisions of subsection (a) shall not apply to the operation by maintenance workers within a designated shop or repair area.

SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it.